

REMARKS / ARGUMENTS

Claims 1-7 and 9-36 were rejected. Claim 8 was previously cancelled. Claims 1 and 9 have been amended.

Claims 1 and 9 were rejected under 35 U.S.C. second paragraph as being indefinite. The examiner stated during normal use is not specifically defined.

Applicants amended claims 1 and 9 to reflect the language found in paragraph 0035 of the specification, which is repeated below for the examiner's convenience

[0035] This process is particularly advantageous because the system parameters change only minimally with each shock wave generation, a correction can be made after each discharge and, for each treatment the total number of discharges released is able to stabilize the system due to successive execution of the process. Therefore, it is not necessary to conduct "test discharges" solely for the purpose of configuring the system; instead, optimization takes place during normal operation.

This language clearly defines that both the measurement and correction occurs after each discharge which means small minor adjustments are made to stabilize the system during the treatment. The cited prior art cannot do this and it is applicants position that the amended claims are well defined in such clear language that one of ordinary skill could not misinterpret the meaning nor find the meaning indefinite

Accordingly applicants respectfully request the examiner to withdraw this rejection.

Claims 1-7 and 9-36 were rejected under 35 U.S.C. 102(b) as being clearly anticipated by Dancer et al. (USPN 5208788). According to the examiner Dancer et al. teaches "The invention relates to an electrical discharge circuit between two electrodes. The circuit includes switch means connected in parallel between the electrodes and constituting a switch that is closed for low frequency currents and that is open for high frequency currents. The discharge circuit may be used to detect and correct the position of an electrode at will, in manner that is simple, reliable, cheap, and suitable for being automated" (abstract). The examiner further argued Dancer et al. teaches of shockwave (title) lithotripsy of mammalian subjects (column 4, lines 26-28). Figures 1 and

2 teaches of feedback control means and measurement means for the controlling the electric discharge via changes in resistance. Note RLC circuit in Figure 2. The correction from a deviation of a control value is inherent of control algorithms/circuits.

Independent claims 1 and 9 had previously been amended to show the measurement of the discharge current takes place during normal use to establish if the pressure pulses generated are within a pre-selected range. This amendment claims the correction is also made successively during normal operation.

The prior art Dancer uses a non-mechanical switch connected with the electrodes presenting a low impedance approximating a short circuit condition for low frequency circuits and presenting a high impedance approximating an open circuit during discharge. This means all measurements are through a separate feeler finger 14 and not directly between the electrode tips. All of these measurements are not occurring during normal use by measuring the discharge current between the electrodes during normal oscillation, but are in fact simply a clever approximation used to reset the electrode tip distances after normal use. In practice the two approaches are remarkably dissimilar and in fact the switch in Dancer prevents the precise in use measurement as described in amended claims 1 and 9. More importantly as now amended claims 1 and 9 have the corrections occur during discharges to stabilize the system parameters during use as recited in paragraph 0035. The prior art does not and cannot be made to operate in the manner as taught in Dancer.

For the foregoing reasons applicants request the examiner to withdraw the rejections and allow the application to pass to issue.

Respectfully submitted,

/david l king/  
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David L King  
Registration No. 33,925  
Attorney of Record